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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/436,870	11/09/1999	SHIGERU YOSHINO	450100-02164	7248

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NEW YORK, NY 10151

EXAMINER

ONUAKU, CHRISTOPHER O

ART UNIT	PAPER NUMBER
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2615

DATE MAILED: 12/04/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.
09/436,870

Applicant(s)
Yoshino et al

Examiner
Christopher O. Onuaku

Art Unit
2615



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on _____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
*See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____ 6) ☐ Other:

Art Unit: 2615

DETAILED ACTION

Claim Rejections - 35 U.S.C. § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for the purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-18 are rejected under 35 U.S.C. 102(e) as being anticipated by Morioka et al (US 6,324,334).

Regarding claim 1, Morioka et al discloses an apparatus for recording and reproducing data representing video, data representing sound, and other auxiliary data onto/from a disk medium, a tape medium, or a recording/reproducing apparatus which can effectively perform an editing operation and establish a network connected with an external system, comprising:

a) a recording medium (see Fig. 1, and data recording HDD 8) which can be accessed at random and plurality input/output processing means (see Fig. 1, SCSI-I/F 7, DVC MOVIE camera 11 including DVC CODEC 10 and DVC/PCI I/F 6 and PCI bus 5) for processing input data including video and/or audio data and outputting and recording them in the recording medium and

Art Unit: 2615

for processing and outputting data reproduced from the reproducing medium (see col.6, line 63 to col.7, line 6);

b) taking-in means (receiving means, for example) for taking in bit map data input from the external (see Fig.1, SCSI-I/F 7 and DVC/PCI I/F 6; auxiliary/text data which is mixed-in with the video and sound signals to male up the hybrid data signal; col.7, lines 16-50);

c) superimposing processing means for superimposing the bit map data taken in by the taking-in means upon the data output from the recording medium or the input data (see col.9, lines 45-50).

Regarding claim 2, Morioka discloses wherein the bit map data is input to the taking-in means through an Ethernet-network (see col.18, lines 34-42).

Regarding claim 3, Morioka discloses wherein the bit map data is recorded in a detachable memory card and the bit map data recorded in the memory card is taken in by inserting the memory card into the taking-in means (see floppy disk drive apparatus which is detachable memory means; col.22, lines 59-65).

Regarding claim 4, Morioka et al discloses an apparatus for recording and reproducing data representing video, data representing sound, and other auxiliary data onto/from a disk

Art Unit: 2615

medium, a tape medium, or a recording/reproducing apparatus which can effectively perform an editing operation and establish a network connected with an external system, comprising:

a) a recording medium (see Fig. 1, and data recording HDD 8) which can be accessed at random and plurality input/output processing means (see Fig. 1, SCSI-I/F 7, DVC MOVIE camera 11 including DVC CODEC 10 and DVC/PCI I/F 6 and PCI bus 5) for processing input data including video and/or audio data and outputting and recording them in the recording medium and for processing and outputting data reproduced from the reproducing medium (see col.6, line 63 to col.7, line 6);

b) rewritable storing means for storing first control program data which is used for processing of the plural input/output processing means (see col.7, line 61 to col.8, line 5);

c) taking-in means for taking in second control program which is input from the external and is used for processing of the plural input/out processing means (see DVC/PCI I/F 6 and col.7, lines 11-25), here examiner reads the DVC Movie Camera 11 as the external device which, through the control signals processes audio, video and auxiliary data which is transmitted through the DVC/PCI I/F 6 to the PCI bus 5 and finally recorded in the Data recording HDD 8 via the SCSI-I/F 7 interface means;

d) rewriting means for rewriting the first control program data stored in the storing means into the second control program data taken in by the taking-in means (see col. 7, line 61 to col.8, line 5).

Art Unit: 2615

Regarding claim 5, Morioka discloses wherein the first control program data is input to the taking-in means through an Ethernet-network (see col.18, lines 34-42).

Regarding claim 6, Morioka discloses wherein the second control program data is recorded in a detachable memory card and the second control program data recorded in the memory card is taken in by inserting the memory card into the taking-in means (see floppy disk drive apparatus which is detachable memory means; col.22, lines 59-65).

Regarding claim 7, Morioka et al discloses an apparatus for recording and reproducing data representing video, data representing sound, and other auxiliary data onto/from a disk medium, a tape medium, or a recording/reproducing apparatus which can effectively perform an editing operation and establish a network connected with an external system, comprising:

a) a recording medium (see Fig.1, and data recording HDD 8) which can be accessed at random and plurality input/output processing means (see Fig.1, SCSI-I/F 7, DVC MOVIE camera 11 including DVC CODEC 10 and DVC/PCI I/F 6 and PCI bus 5) for processing input data including video and/or audio data and outputting and recording them in the recording medium and for processing and outputting data reproduced from the reproducing medium (see col.6, line 63 to col.7, line 6);

b) taking-in means for taking in setting data which is input from the external and is previously given in processing of plural input/out processing means (see Fig.1, SCSI-I/F 7 and

Art Unit: 2615

DVC/PCI I/F 6; auxiliary/text data which is mixed-in with the video and sound signals to male up the hybrid data signal; col.7, lines 16-50), here examiner reads setting data as bit map data;

c) setting changing means for changing settings corresponding the input/output means based on the setting data taken in by the taking-in means (see the editing processing of video/audio based on the audio/video data information; col.19, line 37 to col.20, line 11, and col.20, line 45 to col.21, line 32), here examiner reads the setting changing means as the edit processing means.

Regarding claim 8, Morioka discloses wherein the setting data is taken in by the taking-in means through an Ethernet-network (see col.18, lines 34-42).

Regarding claim 9, Morioka discloses wherein the setting data is recorded in a detachable memory card and the setting data recorded in the memory card is taken in by inserting the memory card into the taking-in means (see floppy disk drive apparatus which is detachable memory means; col.22, lines 59-65).

Regarding claim 10, the claimed limitations of claim 10 are accommodated in the discussions of claim 1 above.

Art Unit: 2615

Regarding claim 11, the claimed limitations of claim 11 are accommodated in the discussions of claim 2 above.

Regarding claim 12, the claimed limitations of claim 12 are accommodated in the discussions of claim 3 above.

Regarding claim 13, the claimed limitations of claim 13 are accommodated in the discussions of claim 4 above, including the fourth step of processing the data which is input/output to/from the input/output processing means based on the second control program data stored by the third step (see col.7, lines 41-60).

Regarding claim 14, Morioka discloses the method step wherein the second control program is taken in by the first step through an Ether-network (see col.18, lines 34-42).

Regarding claim 15, Morioka discloses the method step wherein the second control program data is recorded in a detachable memory card and the second control program data recorded in the memory card is taken in by the first step of storing first control program data which is used for processing of the plural input/output processing means in a rewritable storing means (see floppy disk drive (FDD) apparatus which is detachable memory means; col.22, lines 59-65).

Art Unit: 2615

Regarding claim 16, the claimed limitations of claim 16 are accommodated in the discussions of claim 7 above.

Regarding claim 17, the claimed limitations of claim 17 are accommodated in the discussions of claim 8 above.

Regarding claim 18, the claimed limitations of claim 18 are accommodated in the discussions of claim 9 above.

Conclusion

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Aoki et al (US 6,233,654) teach recording apparatus having a partially exchangeable disk array, a loading/unloading device, and a control device and which uses a disk-like recording medium.

Kaizuka et al (US 6,396,507) teach a data reading method, and apparatus, a network system, an image zooming method and apparatus, an image data storage method and apparatus, an image data writing/reading system, and a recording medium.

4. Any inquiry concerning this communication or earlier communications from this examiner should be directed to Christopher Onuaku whose telephone number is (703) 308-7555. The

Art Unit: 2615

examiner can normally be reached on Tuesday to Thursday from 7:30 am to 5:00 pm. The examiner can also be reached on alternate Monday.

If attempts to reach the examiner by telephone is unsuccessful, the examiner's supervisor, Andrew Christensen, can be reached on (703) 308-9644.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

(703) 872-9314, (for formal communications intended for entry)

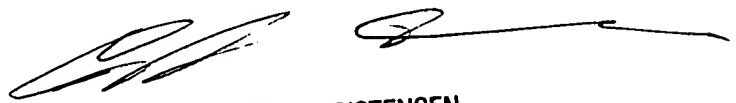
and (for informal or draft communications, please label "PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application should be directed to Customer Service whose telephone number is (703) 306-0377.


CBO

11/29/02



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